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MAY 05 2004

May 5, 2004

To:Commissioner for Patents  
Alexandria, VA 22313-1450Telephone:Fax Number:

(703) 872-9306

**OFFICIAL**From: David Alberti  
Reg No. 43,465  
650-833-2052

Client-Matter Number: 2102393-991122

Re: U.S. Patent Application No. 10/022,303

Pages: - 17 - (including this form)

Originals: ☐ will be mailed ☒ will not be mailedIf there is a problem with this transmission, please call (area code) (650) 833-5188  
Fax Operator/Ext.**Message:**Transmitted via Fax on: May 5, 2004  
Attorney Docket No. 2102393-991122  
U.S. Patent Application No. 10/022,303  
Filing Date: November 3, 2003  
Title: **OPTICAL SPECTRAL POWER MONITORS EMPLOYING POLARIZATION  
DIVERSITY SCHEME**

Enclosed is:

1. Communication (retransmitting Amendment and Response to Office Action of November 3, 2003).

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to: Commissioner for Patents, Alexandria, VA 22313-1450 on:  
May 5, 2004

Rosa A. Caviedes

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(Form Rev. 6/5/00)

Attorney Docket No.: 2102393-991122

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Garrett et al.

Serial No.: 10/022,303

Group Art Unit: 2874

Filed: November 3, 2003

Examiner: Kevin S. Wood

Title: **OPTICAL SPECTRAL POWER MONITORS EMPLOYING  
POLARIZATION DIVERSITY SCHEME**Certificate of Transmission by Facsimile

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May 5, 2004



Rosa A. Caviedes

\*\*\*

COMMUNICATION

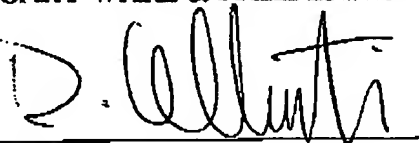
Sir:

On February 3, 2004 we filed an Amendment and Response to the Office Action of November 3, 2003. We received confirmation that our fax transmission was received, as well as an Auto-Reply from the PTO. However, today Examiner Wood called stating he never received the Amendment and Response. Therefore, the Amendment and Response filed on February 3, 2004 is being resubmitted herewith.

Dated: May 5, 2004

GRAY CARY WARE &amp; FREIDENRICH LLP

By



David Alberti  
Reg. No. 43,465  
Attorney for Applicants

ATTN: Patent Department  
GRAY CARY WARE & FREIDENRICH LLP  
2000 University Avenue  
East Palo Alto, CA 94303-2248  
Tel: (650) 833-2052  
Fax: (650) 833-2001

Gray Cary\EM\7165367.1  
2102393-991122

USPTO 2/3/2004 6:52 PM PAGE 1/001 Fax Server  
 Auto-reply fax to 650 833-2001 COMPANY:

## Auto-Reply Facsimile Transmission



TO: Fax Sender at 650 833 2001  
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 Date Received: 2/3/2004 6:48:26 PM [Eastern Standard Time]  
 Total Pages: 13 (including cover page)

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Received  
 Cover  
 Page

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01/03/2004 18:43 FAX 650 833 2001		OCFAF 40	0001
		<b>GRAYCARY.</b>	
		February 3, 2004	
<b>FAX TRANSMISSION COVER SHEET</b>			
TO:	Examiner Kevin S. Wood Commissioner for Patents Alexandria, VA 22313-1450	Telephone: (703) 805-6298	Fax Number: (703) 872-6319
FROM:	Berry N. Young Reg. No. 27,744 650-833-2063	Client-Matter Number:	2102393-891122
RE:	U.S. Patent Application 10/022,303		
Pages:	13 (including this form) Originals: 2 will be mailed or will not be mailed		
If there is a problem with this transmission, please call (area code) (650) 833-6158 Fax Operator/Ext.			
Message:			
Transmitted via Fax on: February 3, 2004 Attorney Docket No. 2102393-891122 U.S. Serial No. 10/022,303 Filing Date: November 3, 2003 Title: OPTICAL SPECTRAL POWER MONITORS EMPLOYING POLARIZATION DIVERSITY SCHEME			
Enclosed is:			
1. Amendment and Response to Office Action			
<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>Certificate of Transmission by Facsimile</b>          I hereby certify that this correspondence is being transmitted by facsimile to Fax No.          (703) 872-6319 to: Commissioner for Patents, VA 22313-1450 on:          February 3, 2004            Ryan A. Cavender       </div>			
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Gray Cary Ware & Leonard LLP PAGE 1/13 * RCVD AT 2/3/2004 6:36:23 PM (Eastern Daylight Time) * SVR:USPTO-EFAXF-01 * DNS:8729306 * CSID:650 833 2001 * DURATION (mm:ss):04:28			

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February 3, 2004

**FAX TRANSMISSION COVER SHEET**

**To:**  
Examiner Kevin S. Wood  
Commissioner for Patents  
Alexandria, VA 22313-1450

**Telephone:**  
(703) 605-5296

**Fax Number:**  
(703) 872-9319

**From:** Barry N. Young  
Reg. No. 27,744  
650-833-2069

**Client-Matter Number:** 2102393-991122

**Re:** U.S. Patent Application 10/022,303

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**Message:**


Transmitted via Fax on: February 3, 2004  
**Attorney Docket No. 2102393-991122**  
U.S. Serial No.: 10/022,303  
Filing Date: November 3, 2003  
**Title: OPTICAL SPECTRAL POWER MONITORS EMPLOYING POLARIZATION  
DIVERSITY SCHEME**

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(Form Rev. 6/5/00)

05/05/2004 15:36 FAX 650 833 2001

GRAY CARY WARE #5

005

02/03/2004 15:47 FAX 650 833 2001

GCW&P #6

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\*\*\* TX REPORT \*\*\*  
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February 3, 2004

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To:

Examiner Kevin S. Wood  
Commissioner for Patents  
Alexandria, VA 22313-1450

Telephone:

(703) 605-5296

Fax Number:

(703) 872-9319

**From:** Barry N. Young  
Reg. No. 27,744  
650-833-2069

**Client-Matter Number:** 2102393-991122

**Re:** U.S. Patent Application 10/022,303

**Pages:** - 13 - (including this form) **Originals:** ☐ will be mailed ☒ will not be mailed

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**Message:**

Transmitted via Fax on: February 3, 2004

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Title: OPTICAL SPECTRAL POWER MONITORS EMPLOYING POLARIZATION  
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February 3, 2004

Attorney Docket No. 2102393-991122

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. Serial No.: 10/022,303  
Applicant: Garrett et al.  
Filed: November 3, 2003  
Art Unit: 2874  
Examiner: Kevin S. Wood

Confirmation No. 1735

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Attorney Docket No.: 2102393-991122  
Customer No.: 26379

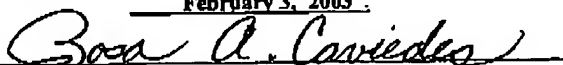
OFFICIAL

Title: OPTICAL SPECTRAL POWER MONITORS EMPLOYING POLARIZATION  
DIVERSITY SCHEME

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Rosa A. Caviedes

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir/Madam:

Applicants respond to the Office action of November 3, 2003 as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of  
this paper.

Remarks/Arguments begin on page 11 of this paper.